

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MABLE LEWIS AND OTHERS WHOSE)	
SIGNATURES ARE APPENDED)	
)	
COMPLAINANTS)	
)	
VS.)	CASE NO.
)	90-328
BLACK MOUNTAIN UTILITY DISTRICT)	
)	
DEFENDANT)	

O R D E R

On October 22, 1990, Mable Lewis and approximately 55 other individuals whose signatures were appended ("Complainants") filed a Complaint with the Commission against the Black Mountain Utility District ("Black Mountain"). The Complaint requests that Mable Lewis be recognized as the representative of the Complainants in this matter.

On November 16, 1990, Black Mountain filed its answer to the Complaint. In its response, Black Mountain asserted, among other defenses, the affirmative defense that the Public Service Commission does not have jurisdiction over the subject matter of this action.

Having considered the evidence of record and being otherwise sufficiently advised, the Commission finds that Mable Lewis should be appointed spokesperson for the Complainants herein. The Commission further finds that, pursuant to KRS 278.010(3)(d), KRS

278.040, and KRS 278.260(1), the Commission unquestionably has jurisdiction over the subject matter of this action.

IT IS THEREFORE ORDERED that Mable Lewis is hereby appointed spokesperson for the Complainants in this proceeding. As spokesperson, Ms. Lewis shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties.

IT IS FURTHER ORDERED that the Complainants shall file the original and 12 copies of the following information with the Commission, with a copy to all parties of record, within 20 days of the date of this Order. If the information cannot be provided by that date, the Complainants shall submit a motion for an extension of time stating the reason a delay is necessary, and include a date by which the information shall be furnished. Such motion will be considered by the Commission. The Complainants shall furnish with each response the name of the witness who will be available for responding to questions concerning each item of information should a public hearing be required in this matter.

1. Were the Complainants supplied by a well prior to receiving water service from Black Mountain? If not, state the source of the Complainants' former water supply.

2. Are any of the Complainants currently parties to any litigation in state or federal court involving contamination of their ground water?

3. When the 12-year old water lines in the mobile home park break, who repairs the lines and who pays for the repairs?

IT IS FURTHER ORDERED that Black Mountain shall file the original and 12 copies of the following information with the Commission, with a copy to all parties of record, within 20 days of the date of this Order. If the information cannot be provided by that date, Black Mountain should submit a motion for an extension of time stating the reason the delay is necessary, and include a date by which the information will be furnished. Such motion will be considered by the Commission. Black Mountain shall furnish with each response the name of the witness who will be available for responding to questions concerning each item of information should a public hearing be required in this matter.

1. Are the 12-year old water lines in the Holiday Mobile Home Park described in paragraph 12 of the Complaint on the customer's side of the meter or the utility's side of the meter?

2. What is the pressure reading at the mobile home park's master meter? Provide a pressure recording meter chart showing the pressure measured at the meter for a continuous 24-hour period.

3. If the 12-year old water lines described in paragraph 12 of the Complaint are on the customer's side of the meter, do they conform to the rules, regulations, or requirements of Black Mountain regarding service lines?

4. Has water to the Holiday Mobile Home Park been disconnected anytime within the last year?

5. Provide the name and address of the customer who is billed for service to the residents of the Holiday Mobile Home Park.

6. Provide an itemized list showing how the \$500,000 was spent and how it was decided to spend each amount.

Done at Frankfort, Kentucky, this 30th day of January, 1991.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director